

THE HONORABLE PALMER ROBINSON

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

U S WEST Communications, Inc.,
a Colorado corporation,

Petitioner,

v.

Washington Utilities and Transportation
Commission,

Respondent.

NO. 96-2-09623-7 SEA

ORDER GRANTING JOINT MOTION
REGARDING FINAL REFUND
DISPOSITION

This Court has before it the Joint Motion of Respondent, the Washington Utilities & Transportation Commission, Petitioner, U S WEST, Public Counsel, and intervenors AARP (American Association of Retired Persons) and TRACER ((Telecommunications Ratepayers Association for Cost-Based and Equitable Rates) Regarding Final Refund Disposition. The Court has reviewed the Joint Motion and supporting Affidavit of Theresa A. Jensen and Attachments thereto, and the file in this action, and has heard argument of counsel. The Court retained jurisdiction over this matter pursuant to prior orders, and by order of the Supreme Court of the State of Washington. The Court hereby

ORDERS that the relief requested in the Joint Motion is granted; and

ORDER GRANTING JOINT MOTION
REGARDING FINAL REFUND DISPOSITION - 1

[13141-0049/Refund Order.doc]

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ORDERS that, pursuant to RCW 63.29.080(2) and RCW 63.29.190, U S WEST shall remit to the Washington State Department of Revenue the funds associated with refund checks that have been returned to U S WEST from customers; and

ORDERS that the settlement reached by the parties to the Joint Motion as to the disposition of any further U S WEST refund liability is appropriate and lawful, and is hereby approved in accordance with the conditions set forth in the Joint Motion, and Attachments B (revised version submitted at the hearing) and C to the Affidavit of Theresa A. Jensen (dated June 27, 2000), copies attached hereto and incorporated herein. Such funds are not subject to escheat to the state under any state statute, and this Court hereby approves the parties' proposed settlement and distribution under the cy-pres doctrine and orders disposition of the \$26 million fund as set forth in the Joint Proposal; and further

Orders that this Order, requiring the returned checks amount to be turned over to the Department of Revenue, and ordering disposition of an additional approximately \$26 million according to the parties' Joint Proposal, is approved as U S WEST's full and final refund liability in this case, and U S WEST is hereby discharged from any further liability; and further

Orders that the Court retains jurisdiction to address any issues that may arise in connection with carrying out the settlement approved herein. It is so

ORDERED this 4 day of August, 2000

Judge Palmer Robinson

ORDER GRANTING JOINT MOTION
REGARDING FINAL REFUND DISPOSITION - 2

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REGARDING FINAL REFUND DISPOSITION - 3

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ORDER GRANTING JOINT MOTION
REGARDING FINAL REFUND DISPOSITION - 4

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